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4

5 Attorney for Defendant **State Farm**  
**Mutual Automobile Insurance Company**

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7 **UNITED STATES DISTRICT COURT**  
8  
**NORTHERN DISTRICT OF CALIFORNIA**

9 ALAN SUKIN,

10 Plaintiff,

11 vs.

12 STATE FARM MUTUAL AUTOMOBILE  
13 INSURANCE COMPANY, STATE FARM  
INSURANCE COMPANIES, THE  
14 COMMISSIONER OF THE CALIFORNIA  
DEPARTMENT OF INSURANCE and DOES  
15 1-50, inclusive,

16 Defendants.

Case No. C07-2829-JCS

17  
**AMENDED NOTICE OF MOTION  
AND MOTION TO DISMISS**

18 DATE: July 13, 2007  
TIME: 9:30 a.m.  
COURTROOM: A (Mag. Judge Spero)

19 TO PLAINTIFF AND HIS ATTORNEYS OF RECORD HEREIN:

20 PLEASE TAKE NOTICE that, in accordance with paragraph 1 of Magistrate Judge  
21 Spero's standing order, the motion of defendant State Farm Mutual Automobile Insurance  
22 Company (also erroneously sued herein as defendant State Farm Insurance Companies and  
hereinafter referred to as "State Farm") to dismiss plaintiff's complaint with prejudice will be  
23 heard in Courtroom A at 9:30 a.m. on July 13, 2007, rather than on the date and at the time set  
forth in the original notice given for that motion.

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25 **POHLS & ASSOCIATES**

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Robert R. Pohls  
Attorney for Defendant **State Farm Mutual**  
**Automobile Insurance Company**

AMENDED NOTICE OF MOTION AND MOTION TO DISMISS  
Case No. C07-2829-JCS

**PROOF OF SERVICE**

***Alan Sukin v. State Farm Mutual Automobile Insurance Company, et al.  
U.S. District Court, Northern District of California, Case No. C07-2829-JCS***

I, Robert R. Pohls, declare that I am over the age of eighteen years, and not a party to this action or proceeding. My business address is 12657 Alcosta Boulevard, Suite 150, San Ramon, CA 94583. On June 1, 2007, I caused the following document(s) to be served:

## **AMENDED NOTICE OF MOTION AND MOTION TO DISMISS**

- in the manner as provided by Rule 5(b) of the Federal Rules of Civil Procedure by placing a true copy of the document(s) listed above, enclosed in a sealed envelope, addressed as set forth below, for collection and mailing on the date and at the business address shown above following our ordinary business practices. I am readily familiar with this business' practice for collection and processing of correspondence for mailing with the United States Postal Service. On the same day that a sealed envelope is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid.

Ray Bourhis, Esq.  
Lawrence Mann, Esq.  
***Bourhis & Mann***  
1050 Battery Street  
San Francisco, California 94111

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 1, 2007, at San Ramon, California.

  
Robert P. Pablo

**AMENDED NOTICE OF MOTION AND MOTION TO DISMISS**  
**Case No. C07-2829-JCS**